

117TH CONGRESS
2D SESSION

S. 4450

To provide the President with authority to enter into a comprehensive trade agreement with the United Kingdom, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2022

Mr. PORTMAN (for himself and Mr. COONS) introduced the following bill; which was read twice and referred to the Committee on Finance

A BILL

To provide the President with authority to enter into a comprehensive trade agreement with the United Kingdom, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Securing Privileged
5 Economic, Commercial, Investment, And Legal Rights to
6 Ensure Longstanding Atlantic Trade and Investment Op-
7 portunities and Nurture Security, Happiness, Innovation,
8 and Prosperity Act” or the “SPECIAL RELATIONSHIP
9 Act”.

1 **SEC. 2. SENSE OF CONGRESS.**

2 (a) IN GENERAL.—It is the sense of Congress that—

3 (1) more open trade and investment relationships with allies of the United States serve to
4 strengthen the economy of the United States, improve the well-being of the people of the United
5 States, and advance the strategic interests of the
6 United States;

7 (2) agreements to reduce or eliminate barriers
8 to trade and investment between the United States
9 and its allies will foster mutually beneficial economic
10 relationships that advance the economic interests of
11 workers, farmers, ranchers, and businesses of all
12 sizes in the United States;

13 (3) the shared values and long history of the
14 “special relationship” between the United States and
15 the United Kingdom present an opportunity to deepen
16 the mutually beneficial economic relationship between
17 those countries and further expand prosperity
18 for the citizens of those countries;

19 (4) a high-standard, comprehensive trade agreement between the United States and the United
20 Kingdom would help achieve those aims and be in
21 the national interest of the United States;

22 (5) the efforts of the United States–United
23 Kingdom Trade and Investment Working Group and

1 the bilateral negotiations initiated by President Donald
2 Trump have laid groundwork toward a comprehensive trade agreement;

4 (6) The United States–United Kingdom Dialogue on the Future of Atlantic Trade initiated by
5 President Joe Biden continues longstanding efforts
6 to improve economic cooperation between the United
7 States and the United Kingdom;

9 (7) the robust labor and environmental protections in the United Kingdom reduce the risk of regulatory arbitrage that undercuts workers and businesses in the United States;

13 (8) the USMCA, which was passed with overwhelming bipartisan support, set high standards in North America with respect to labor rights, the environment, intellectual property, non-market practices, and services, and those standards should inform future negotiations;

19 (9) trade agreements with foreign trading partners that share the values and ambition of the United States offer an opportunity to build on the USMCA and set high international standards across many important policy areas;

24 (10) any trade agreement between the United States and the United Kingdom must uphold the

1 agreement between the Government of Ireland and
2 the Government of the United Kingdom signed on
3 April 10, 1998 (commonly known as the “Good Fri-
4 day Agreement”), and support continued peace and
5 stability in Ireland and Northern Ireland; and

6 (11) to effectively pursue comprehensive trade
7 negotiations with the United Kingdom for purposes
8 of a trade agreement between the United States and
9 the United Kingdom, Congress must grant new ne-
10 gotiating authority to the President, which should—

11 (A) enable the swift negotiation and pas-
12 sage through Congress of such an agreement;
13 and

14 (B) be narrowly tailored to provide clear
15 direction to the executive branch of the United
16 States Government.

17 (b) USMCA DEFINED.—In this section, the term
18 “USMCA” means the Agreement between the United
19 States of America, the United Mexican States, and Can-
20 ada, which is—

21 (1) attached as an Annex to the Protocol Re-
22 placing the North American Free Trade Agreement
23 with the Agreement between the United States of
24 America, the United Mexican States, and Canada,
25 done at Buenos Aires on November 30, 2018, as

1 amended by the Protocol of Amendment to the
2 Agreement Between the United States of America,
3 the United Mexican States, and Canada, done at
4 Mexico City on December 10, 2019; and

5 (2) approved by Congress under section
6 101(a)(1) of the United States–Mexico–Canada
7 Agreement Implementation Act (19 U.S.C. 4511(a)).

8 **SEC. 3. NEGOTIATING AND TRADE AGREEMENTS AUTHOR-
9 ITY FOR COMPREHENSIVE AGREEMENT WITH
10 THE UNITED KINGDOM.**

11 (a) INITIATION OF NEGOTIATIONS.—In order to en-
12 hance the economic well-being of the United States, the
13 President shall initiate negotiations with the United King-
14 dom regarding tariff and nontariff barriers affecting any
15 industry, product, or service sector.

16 (b) AUTHORITY FOR AGREEMENT.—

17 (1) IN GENERAL.—To strengthen the economic
18 competitiveness of the United States, the President
19 may enter into a comprehensive trade agreement
20 with the United Kingdom regarding tariff and non-
21 tariff barriers affecting any industry, product, or
22 service sector.

23 (2) TERMINATION OF AUTHORITY.—The au-
24 thority under paragraph (1) terminates on July 1,
25 2027.

1 (c) MODIFICATIONS PERMITTED.—

2 (1) IN GENERAL.—Subject to paragraph (2),
3 the President may proclaim such modification or
4 continuance of any existing duty, continuance of ex-
5 isting duty-free or excise treatment, or such addi-
6 tional duties as the President determines to be re-
7 quired or appropriate to carry out an agreement en-
8 tered into under subsection (b).

9 (2) LIMITATIONS.—

10 (A) MODIFICATIONS OR ADDITIONS TO
11 AGREEMENT.—Substantial modifications to, or
12 substantial additional provisions of, an agree-
13 ment entered into after July 1, 2027, are not
14 covered by the authority under paragraph (1).

15 (B) AMOUNT OF DUTY MODIFICATION.—

16 No proclamation may be made under paragraph
17 (1) that—

18 (i) reduces any rate of duty (other
19 than a rate of duty that does not exceed 5
20 percent ad valorem on the date of the en-
21 actment of this Act) to a rate of duty that
22 is less than 50 percent of the rate of such
23 duty that applies on such date of enact-
24 ment;

(iii) increases any rate of duty above the rate that applied on the date of the enactment of this Act.

11 (d) CONSULTATION WITH AND NOTIFICATION TO
12 CONGRESS.—The President shall consult with Congress
13 regarding, and notify Congress of, the intention of the
14 President to enter into an agreement under subsection (b)
15 or to make a proclamation under subsection (c).

16 (e) BILLS QUALIFYING FOR TRADE AUTHORITIES
17 PROCEDURES.—

18 (1) IMPLEMENTING BILLS.—

1 plies shall hereafter in this section be referred
2 to as an “implementing bill”.

3 (B) PROVISIONS SPECIFIED.—The provi-
4 sions described in this subparagraph are—

5 (i) a provision approving a trade
6 agreement entered into under this section
7 and approving the statement of adminis-
8 trative action, if any, proposed to imple-
9 ment such trade agreement; and

10 (ii) if changes in existing laws or new
11 statutory authority are required to imple-
12 ment such trade agreement, only such pro-
13 visions as are strictly necessary or appro-
14 priate to implement such trade agreement,
15 either repealing or amending existing laws
16 or providing new statutory authority.

17 (2) DEADLINE FOR SUBMISSION OF BILL.—The
18 procedures under paragraph (1) apply to imple-
19 menting bills submitted with respect to a trade
20 agreement entered into under this section before
21 July 1, 2027.

22 (f) LIMITATION ON TERMINATION.—An agreement
23 entered into under this section shall not terminate with
24 respect to the United States without the express approval
25 by Congress of such termination.

1 (g) RELATIONSHIP TO BIPARTISAN CONGRESSIONAL
2 TRADE PRIORITIES AND ACCOUNTABILITY ACT OF
3 2015.—An agreement under this section shall not enter
4 into force with respect to the United States and an imple-
5 menting bill shall not qualify for trade authorities proce-
6 dures under subsection (e), including an agreement that
7 does not require changes to United States law or an imple-
8 menting bill in connection therewith, unless the following
9 requirements under the Bipartisan Congressional Trade
10 Priorities and Accountability Act of 2015 (19 U.S.C. 4201
11 et seq.) are carried out with respect to that agreement
12 or implementing bill to the same extent as would be re-
13 quired of an agreement entered into under section 103(b)
14 of that Act (19 U.S.C. 4202(b)), notwithstanding the expi-
15 ration of authority to enter into an agreement under such
16 section 103(b):

17 (1) The trade negotiating objectives under sec-
18 tion 102 of that Act (19 U.S.C. 4201).

19 (2) The congressional oversight and consulta-
20 tion requirements under section 104 of that Act (19
21 U.S.C. 4203).

22 (3) The notification, consultation, and reporting
23 requirements under section 105 of that Act (19
24 U.S.C. 4204).

1 (4) The implementation procedures under sec-
2 tion 106 of that Act (19 U.S.C. 4205).

3 (5) The provisions related to sovereignty under
4 section 108 of that Act (19 U.S.C. 4207).

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